

**HSCA Advisory Committee (HAC)  
DNREC's New Castle Field Office  
391 Lukens Drive  
New Castle, Delaware  
December 5, 2013\*  
Meeting Minutes**

**Attendees:**

Bill Baldwin, Action Environmental  
Mike Bowser, NCC  
Marianne Cignaglia, DeLEASI  
Todd Coomes, RLF  
Kathy Fox, EA Engineering  
Clay Greer, Ten Bears  
Stephanie Hansen, YCST  
Ken and Joanne Haynes, SRAP  
Rep. Debra Heffernan  
David Kane, TetraTech  
Thomas Kovach, Saccullo  
Steven Langseder, GTA Eng.  
Mark Lannan, BrightFields  
Gary Lasako, BP Environmental  
Dotty LeCates, SRAP  
Nora Lober, Pennoni  
Fred and Maria Payan, SRAP  
Betsy Rogers, Ten Bears  
Debra Rosenbaum  
Bill Smith, Environmental Alliance  
Bill Stephens, STEPHENS Environmental  
Pat Todd, League of Women Voters  
Chris Whallon, Duffield

**DNREC**

Kate Durant  
Greg DeCowsky  
Jill Hall  
Steve Johnson  
Todd Keyser  
Melissa Leckie  
Tiffany Neumann  
Jim Poling  
Tim Ratsep  
Alex Rittberg  
Qazi Salahuddin  
Paul Will  
Christina Wirtz

**DOJ**

Keith Brady

\*Note information regarding the Dec. 5 meeting is available online at:  
<http://www.awm.delaware.gov/BAC/Pages/BACMeetings.aspx>

**Introductions and Opening Remarks** – Tim Ratsep welcomed members.

**Approval of Sept. 6 Meeting Minutes** – The meeting minutes were unanimously approved.

**Sea Level Rise (SLR) Vulnerability Assessment**– Stephen Johnson of SIRS gave a presentation on how critical SLR is in Delaware and planning for long-term effects/potential impacts to facilities in vulnerable areas. Steve asked for comments from the HAC on whether or not SIRS' Proposed Plans of Remedial Investigations should include information regarding FEMA flood zones.

**Updates for SIRS:** Qazi Salahuddin provided information on new EPA national stormwater rulemaking (<http://cfpub.epa.gov/npdes/stormwater/msgp.cfm>). He also mentioned DNREC's newly revised 5101 Sediment and Stormwater Regulations, effective Jan. 1, 2014  
(<http://regulations.delaware.gov/register/august2013/final/17%20DE%20Reg%20240%2008-01->

[13.htm](#)). These are not to be confused with DNREC's Division of Water's new Regulations Governing the Design, Installation, and Operation of On-Site Wastewater Treatment and Disposal Systems, also effective Jan. 1, 2014.

**Updates for TMS:** Alex Rittberg discussed TMS' new contract for Pay for Performance and recent hire for the Aboveground Storage Tank program. TMS is also working with the Division of Air Quality on regulatory changes for the phase out of Vapor Recovery Stage II systems. The scheduled workgroup meeting on Dec. 19 at Lukens was open to all interested parties. Alex also mentioned that the internal scanning of TMS documents was 60% complete.

#### **Brownfield Subcommittee Report Outs:**

- **Brownfields Finance Subcommittee – Jim Poling (Chair)**

Stephanie Hansen, Dave Kane, Thomas Kovach, Mark Lannan, Melissa Leckie, Jim Poling, Tim Ratsep, Bill Smith and Chris Whallon.

- Subtitle C funding started again on October 1, 2013.
- HSCA Brownfields grant funding for FY14 is still available.
- The Brownfields Reimbursement Guidance is being consolidated.
- Direct pay to consultants (instead of brownfield developers) is being considered (statutory authority in state Omnibus Bill).
- Brownfields grace period will be extended from 30 to 90 days.
- The HSCA Expenditure Plan FY14 is online, FY15 submitted and presented to the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

- **Regulatory Subcommittee (changes to Chapters 74, 74A, 79 & 91) – Alex Rittberg/Tim Ratsep (Contacts),** Todd Coomes, Clay Greer, Stephanie Hansen, Todd Keyser, Mark Lannan, Melissa Leckie, Lynn Poling, Jim Poling, Qazi Salahuddin, Doug Seavey, Bill Smith, Lori Spagnolo, Bill Stephens and Chris Whallon.

- Golf Course/Orchard legislation separated out from state Omnibus Bill.
- HSCA Regulations: direct pay statutory authority in Omnibus Bill; notice on deeds for CNFA determinations.
- SIRS is requesting comments from the HAC on the new HSCA Regulations.

- **Outreach and Education Subcommittee – Robert Newsome (Chair)**

Walt Bryan, Marianne Cinaglia, Greg DeCowsky, Kate Durant, Guy Kramer, Melissa Leckie, Nora Lober, Betsy Rogers, Bill Stephens, Pat Todd, Mike Vanderslice and Chris Whallon.

- Draft Community Outreach Strategy – Kate Durant
- Suggestion to provide more outreach opportunities by holding next March HAC meeting in Sussex County, June meeting in Dover.

**New Business: Maria Payan** – shared her appreciation for the Draft Community Outreach Strategy. Maria Payan and **Dotty LeCates** discussed the proposed development of the former Pinnacle/Vlasic brownfields site as a chicken processing facility. Payan and LeCates (who lives in Possum Point) shared their health and environmental concerns for surrounding residential areas. Most residences have shallow 30-foot private wells. They requested potable well testing for contaminants of concern.

**Next Meeting – The next meeting will be held on March 6, 2014 at the DNREC Lewes Field Office in Sussex County: 901 Pilottown Road, Lewes, DE 19958.**